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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,131	01/22/2002	Stephen Husted	00-404/442	6453

7590 10/28/2002

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EXAMINER

NGUYEN, JIMMY T

ART UNIT	PAPER NUMBER
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3725

DATE MAILED: 10/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/054,131

Applicant(s)

HUSTED, STEPHEN

Examiner

Jimmy T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Drawings

OK
The drawings are objected to under 37 CFR 1.83(a) because they fail to show “recirculated heating fluid 32” as described in the specification (page 5, line 6 and page 6, lines 14, 17, 18, 22, 25) and “bypass passage 22” as described in the specification (page 6, lines 9 and 15). Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

“sensor 6” (page 5, line 31) should be changed to --- monitor 6 ---.

“press 4” (page 5, line 31) should be changed to --- outlet 4 ---.

“valve 2” (page 6, lines 4 and 5) should be changed to --- valve 8 ---.

“fluid 32” (page 6, lines 21, 23, 24, 27) should be changed to --- fluid 31 ---.

“value 16” (page 6, line 22) should be changed to --- valve 16 ---.

Appropriate correction is required.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClure Jr. (US 4,365,547) in view of Eguchi et al (JP 40-2070406A). McClure Jr. discloses a multiplaten press (2) comprising: a press having platens (2); means for regulating (40) the temperature of a platen (2); means for detecting (3) the temperature (see column 5, line 56- column 6, line 4); means for circulating (14) heating fluid such as steam through a platen; means for responding (50, 51) to the detected temperature (see column 5, line 23 to column 6, line 53); and a heat exchanger (column 1, line 32). McClure Jr. does not disclose the means for detecting the temperature as it exits the platen. However, Eguchi, in a related pressing art, teaches a heating medium (14) that a means for detecting the temperature (21) as it exits the heating medium for the purpose of controlling the flow of heat medium. It would have been obvious to one having ordinary skill in the art the time the invention was made to provide McClure Jr.'s apparatus with the means for detecting the temperature as it exits the heating medium as taught by Eguchi for the purpose of controlling the flow of heat medium. With regard to the heating fluid is a superheated steam, McClure Jr. discloses heating fluid is steam. However, it is not inventive to discover the optimum or workable ranges by routine experimentation when general conditions are disclosed in the prior art. *In re Aller*, 220F, 2d454, 105 USPQ 233(CCPA 1955). McClure Jr. sets forth the general condition of the temperature of the steam and thus it would have been

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obvious to one having ordinary skilled in the art the time the invention was made to discover the optimum or workable ranges for the temperature of the steam to heat the heating medium to a desired temperature.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bowyer (US 3,960,069), Fwu (US 5,810,965), Myers (US 5,435,883 and US 5,167,750), and Van Haag et al. (US 6,209,451) disclose pressing apparatus that have similar heating system to the instant invention. Pesch (US 4,312,801) discloses similar press device that use superheated steam.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T Nguyen whose telephone number is (703) 305-5304. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen Ostrager can be reached on (703) 308-3136. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

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JTNguyen

October 23, 2002



ALLEN OSTRAGER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700